

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	22cv5443 (DLC)
BREEANNE BUCKLEY PENI, individually	:	
and on behalf of all others similarly	:	<u>ORDER</u>
situated,	:	
	:	
Plaintiff,	:	
-v-	:	
	:	
DAILY HARVEST, INC., et al.,	:	
	:	
Defendants.	:	
	:	
-----	X	

DENISE COTE, District Judge:

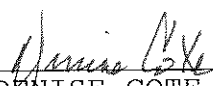
On October 7, 2024, the Clerk of Court received a request from Aleta Reese to opt out of the proposed class action settlement with defendants Daily Harvest, Inc. and Second Bite Foods, Inc. ("Settling Defendants"). The opt-out deadline was July 24, 2024. A declaration accompanying the request referenced exhibits that were not attached. It is hereby

ORDERED that any response from plaintiff's counsel and the Settling Defendants to the request by Ms. Reese to opt out shall be submitted by **noon** on **October 11, 2024**. A response from Daily Harvest, Inc. has already been received.

IT IS FURTHER ORDERED that, at the final approval hearing on October 15, 2024, counsel for the plaintiff and Settling

Defendants shall be prepared to address the adequacy of notice to the class.

Dated: New York, New York
October 8, 2024



DENISE COTE
United States District Judge